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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,709	11/04/2003	Weijia Zhang	DC-06058	6006
33438	7590	10/13/2006	EXAMINER	
HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720			BATAILLÉ, PIERRE MICHE	
			ART UNIT	PAPER NUMBER
			2186	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/700,709

Applicant(s)

ZHANG ET AL.

Examiner

Pierre-Michel Bataille

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The present Office Action is taken in response to applicant's communication filed August 14, 2006 responding to Non-Final rejection dated May 12, 2006. Applicant's amendment and or arguments have been considered with the results that follow.
2. Claims 1-14 are pending in the application under prosecution.

### ***Response to Arguments***

3. Applicant's arguments filed August 14, 2006 have been fully considered but they are not persuasive.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. The following remarks are noted:

#### **Claim 1:**

- The first occurrence of all abbreviation should be spelled out for clarity whether or not the abbreviation is considered well-known to one of ordinary skill in the art.
- "the target information handling system" lacks proper antecedent basis in the claim. Thus, RAID, DHCP, and PXE should be spelled out for clarity.
- The claims should recite: "at least one of ... and ..." in lieu of "or" (line 7).

- The word "boot" should be inserted between "PXE" and "file" for clarity (paragraph starting with "a deployment engine operable").

Claim 5:

- The claim recite "a vendor-specific format to a vendor independent format", such is not clear as "specific" appears to be the same as "independent" in this line of disclosure.

Claims 9 and 11 repeating the defects of base claims 1 and 5, respectively, should be treated as well.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1:

- The first occurrence of all abbreviation should be spelled out for clarity whether or not the abbreviation is considered well-known to one of ordinary skill in the art. Thus, RAID, DHCP, and PXE

should be spelled out for clarity. Since one can be his/her own lexicographer, it is unclear as to the meanings of these abbreviations.

- “the target information handling system” lacks proper antecedent basis in the claim.
- The claims should recite: “at least one of ... and ...” in lieu of “or” (line 7).
- The word “boot” should be inserted between “PXE” and “file” for clarity (paragraph starting with “a deployment engine operable”).

Claim 5:

- The claim recite “a vendor-specific format to a vendor independent format”, such is not clear as “specific” appears to be the same as “independent” in this line of disclosure.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

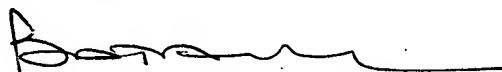
US 20030208587 (Sauer, Martin) teaches method of configuring and/or controlling an electronically controllable, modular facility, automatic server configuration may include hardware settings in BIOS, configuration of large memories such as magnetic disks (RAID configuration) and user-specific configuration of a large number of server computers.

Art Unit: 2186

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (571) 272-4178. The examiner can normally be reached on Mon-Fri (8:00A to 4:30P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pierre-Michel Bataille  
Primary Examiner  
Art Unit 2186

October 10, 2006

**PIERRE BATAILLE  
PRIMARY EXAMINER**